

To: "Allen, Kaylee" []
Cc: []
Bcc: []
From: CN=Tom Hagler/OU=R9/O=USEPA/C=US
Sent: Sat 5/5/2012 9:38:29 PM
Subject: MOU on 404 and BDCP - BOR participation
BDCP 3-Party MOU Draft 30 April 2012.docx
<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>
<http://per2.nwp.usace.army.mil/survey.html>
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>
<http://per2.nwp.usace.army.mil/survey.html>
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>
<mailto:cenos@water.ca.gov>

You are welcome to read the email chain below just to get up to speed with the odd dynamics, but the main reason I'm sending this to you is to make sure you realize that the current idea from DWR is to apparently to have a BDCP 404 MOU with just DWR/Corps and the Bureau. We have been disinvented, which is odd, but that's all up to the applicant and the Corps.

If you want more background, give me a buzz.

Otherwise, enjoy the MOU!

Tom Hagler
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-----Forwarded by Tom Hagler/R9/USEPA/US on 05/05/2012 02:34PM -----

To: Karen Schwinn/R9/USEPA/US@EPA, Tom Hagler/R9/USEPA/US@EPA
From: Erin Foresman/R9/USEPA/US
Date: 05/04/2012 08:30AM
Subject: Request for Concurrence on purpose statement for BDCP CM1 (UNCLASSIFIED)

Please read below. Karen, before I received this messgae from Mike, I emailed Cassandra and cc'd Tom (don't think i cc'd you) about restarting the 404 meetings. Cassandra had sent us a message early in the year to ask about our ability to meet ~ every six weeks.

If you skim the MOU you'll see that 408 is still included. This is interesting.

We should talk when Tom gets back.

Erin Foresman
Environmental Scientist & Policy Coordinator,
US EPA Region 9 C/O National Marine Fisheries Service Central Valley Office
650 Capitol Mall Suite 5-100, Sacramento, CA 95814
Phone: (916) 930 3722

<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>

I work a part time schedule (M 7:30a - 4:00p, T - F 7:30a - 2:00p)

-----Forwarded by Erin Foresman/R9/USEPA/US on 05/04/2012 08:27AM -----
To: Erin Foresman/R9/USEPA/US@EPA
From: "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>
Date: 05/04/2012 08:07AM
Subject: FW: Request for Concurrence on purpose statement for BDCP CM1 (UNCLASSIFIED)

(See attached file: BDCP 3-Party MOU Draft 30 April 2012.docx)

Classification: UNCLASSIFIED
Caveats: NONE

This was my response. I was keeping it simple as Mark Ebbin is separately talking to Jewell on this and I didn't want to spend any time on it until the over my head conversations have ended. MJ agrees its premature as well, so that seemed like a safe comment to make.

In the new draft MOU, this step is checkpoint "e", while we just finished checkpoint "a". I've attached for your FYI, though it's still pretty draft and the checkpoints in particular still need work. Our 408 people in SPK are looking at it now.

I'm meeting with Cassandra today on the MOU, if this letter comes up in discussion my answer will be that Mark is talking with Mike and leave it at that.

Michael G. Nepstad
Deputy Chief, Regulatory Division
US Army Corps of Engineers, Sacramento District
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* YouTube: www.youtube.com/sacramentodistrict

* Twitter: www.twitter.com/USACESacramento

-----Original Message-----

From: Nepstad, Michael G SPK

Sent: Thursday, May 03, 2012 7:41 AM

To: Enos, Cassandra

Subject: RE: Request for Concurrence on purpose statement for BDCP CM1 (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

My first thought is we're jumping the gun by a year or more.

Michael G. Nepstad
Deputy Chief, Regulatory Division
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(916) 557-7262 Fax: (916) 930-9506
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-----Original Message-----

From: Enos, Cassandra [<mailto:cenos@water.ca.gov>]

Sent: Wednesday, May 02, 2012 3:21 PM

To: Jewell, Michael S SPK; Nepstad, Michael G SPK

Cc: Hoffman-Floerke, Dale; Crothers, Cathy; Marc Ebbin

Subject: Request for Concurrence on purpose statement for BDCP CM1

Mike and Mike - Thanks for meeting with us to discuss the USACE permitting for BDCP implementation actions. I noted one of the action items from that meeting was for DWR to draft a revised purpose statement for implementation of BDCP conservation measure 1: water operations and conveyance, based on the approach discussed in the meeting. Attached is a file with the revised statement as well as a letter to Col Leady requesting concurrence on the statements. Please review and let me know if you have any questions or comments.

Thanks much, Cassandra

Cassandra Enos-Nobriga

Chief, Permitting and Mitigation,

Bay Delta Conservation Plan

Department of Water Resources

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